

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:05CR284
Plaintiff,)	
)	
vs.)	ORDER
)	
TILOE C. WILLIAMS,)	
)	
Defendant.)	

This matter is before the court on the motion to continue by the government (Filing No. 32). The government seeks a continuance of the trial of this matter due to the unavailability of an essential witness. Government's counsel represents that counsel for Williams has no objection to the motion. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. The government's motion to continue trial (Filing No. 32) is granted.
2. Trial of this matter is re-scheduled for **February 6, 2006**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **January 10, 2006 and February 6, 2006**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that an essential witness is unavailable for trial. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(3)(A).

DATED this 10th day of January, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge